

UNITED STATES DISTRICT COURT
Northern District of California

HOWARD DIXON,

No. C 11-05217 MEJ

Plaintiff,

**SECOND ORDER TO
CONSENT/DECLINE**

v.

SAN FRANCISCO POLICE DEPARTMENT,

Defendant.

Pending before the Court is Plaintiff's in forma pauperis application. On October 31, 2011, the Court ordered Plaintiff to consent to magistrate judge jurisdiction or request reassignment to a United States District Judge for trial by November 15, 2011. Dkt. No. 4. Plaintiff has failed to respond.

This civil case was randomly assigned to the undersigned magistrate judge for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by a magistrate judge may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether he consents to magistrate judge jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by November 28, 2011. As this is the second such order, Plaintiff should be mindful that sanctions may be imposed for failure to comply, including and up to dismissal of this case.

IT IS SO ORDERED.



1 Dated: November 18, 2011

2 Maria-Elena James
3 Chief United States Magistrate Judge

4 UNITED STATES DISTRICT COURT
5 FOR THE
6 NORTHERN DISTRICT OF CALIFORNIA

7 HOWARD DIXON,

Case Number: CV11-05217 MEJ

8 Plaintiff,

CERTIFICATE OF SERVICE

9 v.

10 SAN FRANCISCO POLICE DEPARTMENT et
11 al,

12 Defendant.

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
14 Court, Northern District of California.

15 That on November 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
18 in the Clerk's office.

19 Howard Dixon
20 2363 Grande Vista Place
21 Oakland, CA 94621

22 Dated: November 18, 2011

23 Richard W. Wieking, Clerk
24 By: Brenda Tolbert, Deputy Clerk